IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 28048 of 1998

Between:

Yalla Krishna Rao, S/o Subbanna,
R/o Kajuluru Village & Mandal, E.G.District

..... PETITIONER

AND

1 The District Collector,
East Godavari at Kakinada.
2 The District Educational Officer,
Kakinada, E.G.District
3 The Mandal Educational Officer,
Kajuluru, E.G.District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the order of the 3rd respondent bearing RC No.A/199/98 dt.3-10-1998 issued in consequence of the proceedings of the 2nd respondent in RC No.SPL No.1/DPEP/98 Dt.15-9-1998 as illegal, arbitrary and opposed to the provisions of the A.P. School Education (Community Participation) Act, 1988 and consequently direct the respondents to drop all further proceedings against the petitioner in this regard by continuing him as the Chairman of the Education Committee of Kajuluru Mandal Parishad Elementary School (Main), Kajuluru, E.G.District.

Counsel for the Petitioner: MR. N.SIVA REDDY

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

The petitioner herein was elected as Chairman of School Committee of Kajuluru

Mandal Parishad Elementary School (Main), Kajuluru, East Godavari District, in July, 1998. However, the second respondent, by proceedings dated 15-9-1998, informed the Mandal Educational Officer, Kajuluru, East Godavari District and Deputy Inspector of Schools that the guardians of children are not entitled to be elected as Presidents of the Committees. Accordingly, by impugned orders dated 3-10-1998, the third respondent declared the election of the petitioner as invalid, assailing which the present Writ Petition is filed.

This Court, while admitting the Writ Petition on 8-10-1998, suspended the impugned proceedings of the third respondent dated
3-10-1998. Further, as per Section 5(4) of the A.P. School Education (Community Participation) Act, 1998, the term of elected School Committee is two years. Therefore, nothing survives in the Writ Petition.

The Writ Petition is, therefore, dismissed as infructuous. No costs.

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V.V.S. RAO, J

Dated: November 04, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Kakinada, East Godavari District.
2 The District Educational Officer, Kakinada, E.G.District.
3 The Mandal Educational Officer, Kajuluru, E.G.District.

4 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

5 Two CD copies.